

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

June 16, 2011

5:30 P.M.

MINUTES

Present: Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

Absent: Mayor Donald Kasprzak

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on June 9 2011 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Tiffer

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending June 15, 2011 in the amount of \$ 243,895.34 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Carpenter; Seconded by Councilor Jackson

Councilor Carpenter said Richard just looking at the weeks pay, the overtime was \$12,000 how much of that would still be attributed to the flooding situation.

City Chamberlain Richard Marks said it is my understanding that not much for Public Works because their amount is \$760 but I'm not sure about Police and I got assume the Water Pollution Control Plant is still and I don't know about MLD or the Fire Department. But the Chief is here, Bill is here and Dave is here and they can tell you.

Councilor Carpenter said have we been keeping track of that for FEMA purposes.

City Chamberlain Richard Marks said yes the Department Heads are.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of June 9 – June 15, 2011
- Report from the Building Inspector's Office from May 13 – June 13, 2011
- Statement from the City Clerk's Office of all monies received during the month of May 2011 in the total amount of \$36,318.09.
- Finance Department Statement of Revenue and Expenditures for the Months of January 2011 – March 2011.

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Jackson
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council in the amount of \$ 885,812.69 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Rabideau
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL: None

Councilor Rabideau moved that the Council enter Executive Session to discuss a claim against the City which could lead to possible litigation. Seconded by **Councilor Carpenter**.
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves that Contract #2011-12 "Instrumentation Services for WPCP" be awarded to Total Control System Services, Inc. for the total lump sum price of \$29,460.00 and that the Mayor be authorized to sign the Maintenance Service agreement for this work.

By Councilor Jackson; Seconded by Councilor Case
Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves Barbara MacDonald to hold the 9th Annual Mayor's Cup Bike ride on Sunday, July 10, 2011. They are planning on starting from and returning to the hospital grounds via Prospect Avenue.

By Councilor Tiffer; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to revise capital project H5110.17 in order to provide sufficient funding for the deck repair of the Web Island footbridge.

By Councilor Tiffer; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves that Contract # 2011-13 "Webb Island Foot Bridge Deck Replacement" be awarded to Tracey Trombley Construction Inc. for a total lump sum price of \$36,000. Funding for this project will be from the Webb Island Footbridge Improvements Capital project.

By Councilor Tiffer; Seconded by Councilor Rabideau

Discussion:

Councilor Tiffer read and submitted the following: I am happy to see that we are going to proceed with the much needed repair work for the Webb Island Footbridge. However, I am not pleased with the chain of events that led the City to forgo City School District funding and self fund the project. Even before the bridge was built in 1983, this structure has been the center of controversy and finger-pointing by both the City and the Board of Education. This is not only irresponsible but a disservice to the residents of our community.

Allow me to shed some light on a common misconception about the Footbridge. The use for the bridge goes beyond just students. If you were to traverse the bridge at any time of day or night, you will see people utilizing the bridge. It is a more diverse age group then just high school students. I

think focusing on just PHS students marginalizes the bridge. It is a part of our transportation options in the south end.

I grew up in the south end. I relied on the bridge to go to school, go to practices, attend extra-curricular activities, and go to work. I still utilize this bridge to date. I am not alone on the use of the bridge. The bridge is the only reasonable pedestrian link between the south end and the west end. It is unfortunate that many members of our community do not understand how important this bridge is. In fact, many people don't even know the bridge exists. I believe apathy for this structure comes from never having to rely on the bridge.

The foot bridge is a vital part of the transportation infrastructure in the City of Plattsburgh. Much like a road, or a sidewalk it should be the responsibility of the municipal government to monitor and maintain the structure. Liability is an issue with any transportation structure and this bridge should not be treated any differently. We cannot continue to ignore this issue and hope it will disappear on its own.

I recognize the agreement that was signed by both the Mayor and the Superintendent at the inception of the bridge. The School built the bridge and the City has maintained the bridge as stated in the agreement. It is my understanding that the footbridge was built under the presumption that the BOE would convey ownership of the bridge to the City (by 1992). I will not assume to know why this has not occurred; however, it is our responsibility to follow through on our end of the agreement.

I am asking for the support from the Council and the Mayor to convene with the Board of Education to resolve this matter. There are issues that need to be ironed out, but we can no longer continue to ignore the footbridge. This is our School District, this is our bridge, let's step up and take responsibility for our community.

Councilor Carpenter said I was just wondering Kevin, if this passes when will the work begin.

City Engineer Kevin Farrington said now that schools out it can begin anytime. I'm going to talk to the Contractor.

Councilor Carpenter said school's not actually until the 23rd or 24th because they are still doing testing so it wouldn't start before then.

City Engineer Kevin Farrington said no it definitely wouldn't be that quick.

Councilor Carpenter said it would be done by September do you think.

City Engineer Kevin Farrington said yes we moved it up to August before football season starts.

Councilor Tiffer said I was hoping that this would open up dialogue, but, it won't. Can I formally request that we hold a meeting with the Board of Education in order to resolve issues dealing with title ownership of the bridge?

Councilor Calnon said you can, you have.

Councilor Rabideau said we have had meetings with the Superintendent and members of the Board and members of this Council. Councilor Carpenter was present at these meetings; the Mayor was present at some of the meetings. This foot bridge was discussed by some board members to us and I don't think it is an easy decision to make to accept the foot bridge because there are circumstances surrounding past events that were discussed and could be discussed. I think if there was a future meeting I think the Mayor probably would want to be present at the meetings and we did start with a committee and we haven't met in several months. I guess what I'm saying is what your asking for had taken place would need to continue if you're going with the route that you want to take.

Councilor Tiffer said correct because clearly it's not resolved.

Councilor Calnon said probably a lot of this discussion actually should have been part of the establishing the capital project because that is actually when the funding is involved. I think letting the work go which is the current resolution is something we're all anxious to see done and have the bridge repaired. But I've got to agree with you, I just don't like not being one way or the other. If this is definitely something the school district should own, fine, then why are we repairing it. If it's something that we should own then lets figure out some equitable way to get some of the reimbursement for the work or some of the other benefits that the bridge brings. Yeah, I'm uncomfortable with it being unresolved now for 20 years. It's been an odd situation. I hope that we'll urge the Mayor to reach out to the Superintendent to get the committee active again and make sure we're all invited so that we can learn a lot more. I didn't participate in the committee in the past and we've had 2 Councilors that have joined us since the last time the committee met so we're getting to the point where not a lot of us know exactly what's going on I think it's a good idea.

Councilor Carpenter said just for the record one more time I'll state my position. I think the bridge needs to be owned by both entities. We may come up with a contract that's equitable to both sides. But I'm uncomfortable with one entity owning the bridge and having control over it. I really feel it will be held hostage used and this that and the other thing. I'd just as soon have it joint owned.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves that Bid 2011-3-1 "Electric Power Distribution Transformers" be awarded to WESCO - \$236,115.00, Stuart C Irby - \$73,927.00, GottoGo Electric -\$29,966.00, ERMCO/Delta-Wye Associates -\$57,665.00 for a total bid award cost of \$397,673.00.

By Councilor Jackson; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves that Project HOME 2009-9, 14 Riverside Ave (Paynter) be awarded to B & E Development for \$12,885. This project will be funded by the 2009 HOME program.

By Councilor Case; Seconded by Councilor Tiffer

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves two Police Officers to attend the “New York Chiefs of Police Association Annual Training Conference” in Lake Placid, NY from July 17– 21, 2011 the cost will not exceed \$1,980 and will be paid out of the Asset Forfeiture fund, travel expense.

By Councilor Carpenter; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves one Police Officer to attend the “17th Annual Drug Recognition Expert Training Conference on Drugs, Alcohol and Impaired Driving” in Montreal, Quebec from July 19- 21, 2011 at an estimated cost that will not exceed \$946 and will be paid out of the Asset Forfeiture fund, travel expense.

By Councilor Carpenter; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from Kevin Farrington City Engineer for permission to advertise for bids for Contract # 2011-20 “Elm Street Sidewalk & Curb Construction.”

2. Traffic Zone Designation No. 935 to establish “two-way traffic on Steltzer Road from Broad street to a point approximately 650-ft south of Broad Street which point coincides with the southerly exit from the now or formerly Plattsburgh College Suites.”
3. Request from Kevin Farrington City Engineer that Contract # 2011-06 “Manufacture/Install Eco Docks @ Dock Street” in the total amount of \$51,980 and Contract # 2011-07 “Manufacture/Install Eco docks @ Wilcox Dock Park” in the total amount of \$48,455 be awarded to The Dock Doctors for the total bid amount of \$100,335.
4. Request from Therapy Nightclub and Sports Lounge to close down Margaret Street from Division Street to Broad Street on Sunday, July 3, 2011 to hold a street dance from 3pm – 7pm with the band Lucid.

10. NEW BUSINESS: None

11. CLOSING PUBLIC COMMENTS: None

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer
 Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
 (All voted in the affirmative)
MEETING ADJOURNED: 6:00 pm